

DAE
JMW



Attorney's Docket No. 5308-260

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Edward J. Hubbell, III

Group Art Unit: 3723

Serial No.: 10/606,980

Confirmation No.: 6448

Filed: June 27, 2003

Examiner: Maurina T. Rachuba

For: METHODS FOR DYNAMICALLY CONTROLLING A
SEMICONDUCTOR DICING SAW (AMENDED)

Date: February 22, 2005

Office of Patent Legal Administration
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO ACCORD THE PROPER FILING DATE

Sir:

As set forth in 37 CFR § 1.10(c) and MPEP § 506.02, Applicant hereby petitions to grant the proper filing date of **June 26, 2003** rather than June 27, 2003 for the above-identified patent application as this was the date the application was deposited as "Express Mail" in the U.S. Postal Service. The following is enclosed as evidence of June 26, 2003 being the correct filing date for the application, which was properly filed under 37 C.F.R. § 1.10:

1. A true and accurate copy of the Cover Sheet for the Application showing the Express Mail signature and date on Page 2;
2. A true and accurate copy of the Express Mail Receipt marked by the United States Postal Service ("USPS") as a "date-in" or deposit date with the USPS of June 26, 2003; and
3. A true and accurate copy of a printout from www.usps.com with at tracking status that the package was **delivered** on June 27, 2003.
4. A true and accurate copy of our return post card and of the official filing receipt for this application, sent by the United States Patent and Trademark Office, showing that Applicant was improperly given the filing date of June 27, 2003 instead of the Express Mail date of June 26, 2003.

This petition is being filed after Applicant became aware of the improperly accorded filing date. Accordingly, Applicant respectfully requests the granting of June 26, 2003 as the filing date pursuant to 37 CFR § 1.10.

In re: Edward J. Hubbell, III
Serial No.: 10/606, 980
Filed: June 26, 2003
Page 2 of 2

On the basis that Applicant properly followed the requirements of 37 CFR § 1.10 and the USPTO failed to accord the proper filing date under MPEP § 505, and thus the need to file this petition is due to error on the part of the USPTO, applicant believes that no fee is due with this petition. However, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,



Timothy J. O'Sullivan
Registration No. 35,632

Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401
Customer No. 20792

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Office of Patent Legal Administration, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 22, 2005.


Traci A. Brown

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.: 5308-260

DATE: June 26, 2003

**UTILITY PATENT APPLICATION TRANSMITTAL LETTER
AND FEE TRANSMITTAL FORM (37 CFR 1.53(b))**

Mail Stop PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 CFR 1.53(b) is:

- ☒ a patent application
☐ a Continuation ☐ a Divisional ☐ a Continuation-in-Part (CIP) Application of prior application no.: _____; filed _____, the disclosure of which is hereby incorporated herein by reference in its entirety.
☒ and claims the benefit of Provisional Application No. 60/398,753; filed July 26, 2002.

Inventor(s) or Application Identifier:

Edward J. Hubbell IIIEntitled: **METHODS, SYSTEMS AND COMPUTER PROGRAM PRODUCTS FOR
DYNAMICALLY CONTROLLING A SEMICONDUCTOR DICING SAW****Correspondence Address:****20792**

PATENT TRADEMARK OFFICE

Enclosed are:

1. ☒ Application Transmittal Letter and Fee Transmittal Form (*A duplicate is enclosed for fee processing*)
2. ☒ 21 pages of Specification (including 30 claims)
3. ☒ 5 sheets of Formal Drawings (35 USC 113)
4. ☒ Oath or Declaration
 - a. ☒ newly executed (*original or copy*) 18
 - b. ☐ copy from prior application (37 CFR 1.63(d) (*for continuation/divisional*) [Note Box 6 Below]
 - c. ☐ **DELETION OF INVENTOR(S)** (*Signed statement deleting inventor(s) named in the prior application*)
5. ☐ Application Data Sheet. See 37 CFR 1.76
6. ☐ Incorporation By Reference (*useable if box 4b is checked*)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
7. ☐ Microfiche Computer Program (*Appendix*)
8. ☒ Assignment papers (*cover sheet(s) and document(s)*)


9. ☐ Applicant claims small entity status. See 37 CFR 1.27.
10. ☐ Information Disclosure Statement, PTO-1449, and references cited
11. ☐ Preliminary Amendment (*Please enter all claim amendments prior to calculating the filing fee.*)
12. ☐ English Translation Document
13. ☐ Certified Copy of _____ Application No.: _____; Filed _____.
14. ☐ Sequence Listing/ Sequence Listing Diskette
 - a. ☐ computer readable copy
 - b. ☐ paper copy
 - c. ☐ statement in support
15. ☐ An Associate Power of Attorney
16. ☒ Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
17. ☐ Other:

The fee has been calculated as shown below:

	Column 1 No. Filed	Column 2 No. Extra	Small Entity Rate Fee	Large Entity Rate Fee
BASIC FEE			\$375.00	\$750.00
TOTAL CLAIMS	30 - 20 =	10	x 09 = \$	x 18 = \$180.00
INDEP CLAIMS	4 - 3 =	1	x 42 = \$	x 84 = \$84.00
<input type="checkbox"/> MULTIPLE Dependent Claims Presented			+ 140 = \$	+ 280 = \$
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- ☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.
- ☒ A check in the amount of \$1054.00 is enclosed to cover the filing fee, PLUS the Assignment Recordation fee (\$40.00).
- ☐ Please charge my Deposit Account No. 50-0220 in the amount of \$.
- ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees associated with this communication to Deposit Account No. 50-0220:
- a. ☒ Additional filing fees under 37 CFR 1.16 for presentation of extra claims.
 - b. ☒ Additional patent application processing fees under 37 CFR 1.17.

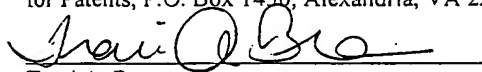
Respectfully submitted,


 Timothy J. O'Sullivan
 Registration No 35,632

CERTIFICATE OF EXPRESS MAILING

Express Mail Label No. EV353610421 US
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I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


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PO BOX 37428
RALEIGH NC 27627-7428

TJ0/tb 5308 260

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M.S. Patent Application

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TJ0/46

Date: 6/26/03

Doc. No. 5308-260

Serial No. 46a

Inventor: Edward J. Hubbell III

Sir: 07-18-03 A08:39 IN

Kindly acknowledge receipt of the accompanying items listed below
by placing your receiving stamp hereon and return mailing:

- ☒ Application Transmittal and:
- ☒ Specification pages 21
- ☒ No. of Claims 30
- ☒ Declaration & POA
- ☒ Assignment and Fee
- ☒ Small Entity Statement
- ☒ Formal Drawings/ 5 sheets
- ☒ Associate Power of Attorney
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- ☐ IDS & PTO-1449 & _____ refs.
- ☐ Amendment & Amend. Transmittal
- ☐ Preliminary Amendment
- ☐ Issue Fee
- ☐ Brief
- ☐ Appeal
- ☐ Submittal of Priority Doc.

16447 U.S. PTO

10/606980



06/27/03

Respectfully submitted,
MYERS BIGEL SIBLEY & SAJOVEC, P.A.
Attorneys for Applicant

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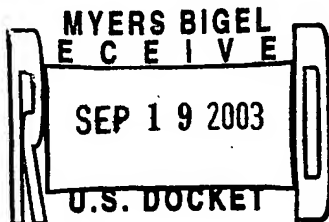


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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/606,980	06/27/2003	3723	1014	5308-260	5	30	4

20792
MYERS BIGEL SIBLEY & SAJOVEC
PO BOX 37428
RALEIGH, NC 27627



CONFIRMATION NO. 6448

FILING RECEIPT



OC000000010879429

Date Mailed: 09/15/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Edward J. Hubbell III, Durham, NC;

Domestic Priority data as claimed by applicant

This appln claims benefit of 60/398,753 07/26/2002

Foreign Applications

If Required, Foreign Filing License Granted: 09/15/2003

Projected Publication Date: 01/29/2004

Non-Publication Request: No

Early Publication Request: No

09-17-03 A09:10 IN

Title

Methods, systems and computer program products for dynamically controlling a semiconductor dicing saw

Preliminary Class

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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